

FORD ELSAESSER
Chapter 7 Trustee
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U.S. COURTS

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REC'D _____
CAMERON S. BURKE
CLERK, IDAHO

Chapter 7 Trustee

IN THE UNITED STATES BANKRUPTCY COURT
IN AND FOR THE STATE OF IDAHO

In re:)	
)	Case No. 95-03264-7
LAKE CITY R.V., INC.,)	
)	DECLARATION OF TRUSTEE
Debtors.)	IN SUPPORT OF CHAPTER 7
_____)	TRUSTEE'S FEES

Ford Elsaesser, under penalty of perjury, states and represents as follows:

1. I am the Chapter 7 Trustee in the above-entitled Chapter 7, having been appointed on or about October 23, 1995. In support of the final accounting and request for trustee's fees and expenses, I declare under penalty of perjury as follows:

2. This case has dragged on for a number of years, due primarily to the Gale litigation, and ultimately, the collection of the Gale judgment. Although I retained counsel to pursue the Gale case, I actively supervised Mr. Magnuson's work in this case and was directly involved with

Mr. Magnuson with the negotiation of various potential resolutions of the Gale litigation.

2. This case in some respects was administered "in tandem" with the case of the shareholders of Lake City RV, the Fosters, who owned the real estate. A copy of that final accounting is attached hereto and incorporated by reference. The Fosters owned the real estate, which the Trustee sold, while at the same time, disposing of numerous items of personal property reflected in the final accounting for the Lake City RV case. As Trustee, I was actively involved in the sale of these related assets for both estates, which occurred generally at the same time.


3. I have also been actively involved in obtaining refunds of insurance and workers' compensation dividends.

4. A large part of my time spent on this case related to the active participation of the Ericksons, who, like the Gales, were personal friends of and lenders to the Fosters and Lake City RV, and suffered substantial losses as a result. Although the Ericksons ultimately contributed meaningful benefits to the estate (by opposing the initial settlement with the Gales, the denial of which settlement resulted in a much larger collection from them), and with regard to claims objection pursued by both the Gales and the Ericksons.

5. With regard to the Gales, we were in relatively constant negotiations with them with regard to their representations of what assets were available to pay the judgment. I believe our prompt actions with regard to some of these assets ultimately helped to result in the full payment of the judgment, despite the many protestations of the Gales that they had insufficient assets to pay the judgment.

6. This case has lasted as long as it has, due to the estate's determination to recover significant amounts from the Gales. As the accounting reflects, the bulk of the Gale proceeds were not recovered until 1999 and 2000, but ultimately, a significant distribution to creditors will result. I believe that the continued supervision by the Trustee, as well as the aggressiveness of the estate in pursuing the Gale claim, has resulted in a substantial benefit to creditors that justifies the percentage fee in this particular case.

SO DECLARED under penalty of perjury this ____ day of January, 2001.



Ford Elsdesser